

REMARKS

SPECIFICATION OBJECTIONS

The specification is objected to for failing to adhere to the requirements of the sequence rules.

Applicant encloses herewith a copy of the **Response to the Notice**, dated January 28, 2002 together with the following enclosure:

- (1) An initial computer readable form ("CRF") of the sequence listing;
- (2) A paper copy of the sequence listing;
- (3) A copy of the "NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING THE NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES"; and
- (4) An amendment requesting entry of the sequence listing into the specification.

A copy of the return postcard stamped on February 21, 2002 by Patent and Trademark Office verifying that the **Response to the Notice** was received by the USPTO is also enclosed for the examiner's convenience.

Reconsideration and withdrawal of this objection are requested.

CLAIMS OBJECTIONS

Claim 9 stands objected to because of informalities.

Applicant has amended claim 9 to delete the phrase "in the treatment time period" as requested by the Examiner.

Reconsideration and withdrawal of this ground of objection are requested.

OBVIOUS-TYPE DOUBLE PATENTING REJECTION

Claims 1-3, 5, 7-9, 11, 14, 15, 20, 22, 26, 29, 31, 33 and 37 stand rejected under the judicially created doctrine of obvious-type double as being patentable over claims 1-4 and 9 of commonly-owned U.S. Patent No. 6,172,046 B1.

Applicant is enclosing herewith a properly executed Terminal Disclaimer in compliance with 37CFR 1,321(c) with respect to U.S. Patent No. 6,172,046 B1 .

Reconsideration and withdrawal of this ground of rejection are solicited.

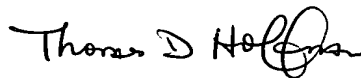
Claims 1-42 stand rejected under the judicially created obviousness-type double patenting as being unpatentable over commonly-owned U.S. Patent No. 6,472,373B1.

Applicant encloses herewith a properly executed Terminal Disclaimer in compliance with 37CFR 1,321(c) with respect to U.S. Patent No. 6,472,373B1.

Reconsideration and withdrawal of this ground of rejection are solicited.

If Applicants can be of any assistance in advancing prosecution, please call the undersigned attorney of record.

Respectfully submitted,
SCHERING-PLOUGH CORPORATION



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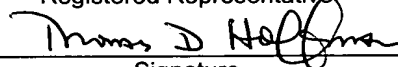
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on

November 12, 2003

Thomas D. Hoffman

Registered Representative



Signature

Nov 12, 2003

Date